

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES MARTIN GRAHAM #249994,)

Plaintiff,)

v.)

MICHIGAN DEPARTMENT)
OF CORRECTIONS, et al.,)

Defendants.)

Case No. 2:05-cv-277

HON. ROBERT HOLMES BELL

**ORDER DENYING MOTION
FOR RECONSIDERATION**

Plaintiff, a prisoner incarcerated at the Hiawatha Correctional Facility (HTF), filed a complaint pursuant to 42 U.S.C. § 1983. This court dismissed Plaintiff's complaint as failing to state a claim upon which relief may be granted on December 15, 2005. (Docket #3 and #4.) Plaintiff has filed a motion to serve the complaint, which the court construes as a motion filed pursuant to Rule 60 of the Federal Rules of Civil Procedure. The court finds that the motion is timely. *See* FED. R. CIV. P. 60. After careful consideration, the court will deny the motion.

Plaintiff's motion is not entirely coherent. Plaintiff reiterates the allegations and claims set forth in his complaint. However, Plaintiff fails to allege any new information indicating that Defendants' alleged misconduct violated his constitutional rights. Accordingly, the court will deny Plaintiff's motion as without merit. Therefore:

IT IS ORDERED that Plaintiff's motion for reconsideration (docket #7) be and hereby is DENIED.

Date: February 21, 2006 /s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE